

ESTTA Tracking number: **ESTTA362969**

Filing date: **08/12/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91194218
Party	Plaintiff Illumina, Inc.
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Submission	Motion to Consolidate
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Date	08/12/2010
Attachments	20100812145646675.pdf (2 pages)(485033 bytes) 20100812181659018.pdf (1 page)(57762 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Illumina, Inc.,)	
)	Opposition No. 91194218
Opposer,)	
)	Ser. No. 77768176
v.)	
)	Opposition No. 91194219
Meridian Bioscience, Inc.,)	
)	Ser. No. 7775316
Applicant.)	

STIPULATED MOTION TO CONSOLIDATE


Pursuant to TBMP Section 511 and Fed. R. Civ. P. 42(a), Illumina, Inc. (“Opposer”) and Meridian Bioscience, Inc. (“Applicant”), by and through their respective counsel, hereby move the Board for an order consolidating Opposition No. 91194218 and Opposition No. 91194219.

The parties submit that both opposition proceedings involve common questions of law, and fact, similar marks, and the same parties. Specifically, the marks in the opposed application, ILLUMIPRO and ILLUMIPRO-10, are very similar, and all of the marks relied upon by Opposer in its Notices of Opposition are the same in both opposition proceedings.

To avoid duplicative litigation and promote judicial economy while preserving the interests of the parties in the opposition proceedings, the parties request that the Board consolidate the above-identified opposition proceedings.


Respectfully submitted,

Holley & Menker, PA

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "STIPULATED MOTION TO CONSOLIDATE" was served on Applicant's attorney, J. Michael Hurst of Keating Muething & Klekamp PLL, with an email address of mhurst@kmklaw.com, via email by agreement, today **August 12, 2010**.

By:



James R. Menker